

August 10, 2000

The Honorable Dianne Feinstein
United States Senate
Washington, DC 20510

Dear Senator Feinstein:

I am responding to your letter forwarding the concerns of two of your constituents - - Mr. and Mrs. Ed Mettler - - on issues regarding control of releases of solid materials. Specifically, concerns were expressed about release of material from U.S. Department of Energy (DOE) facilities and about efforts by the U.S. Nuclear Regulatory Commission (NRC) to establish standards in this area. Because NRC does not have regulatory authority over this aspect of DOE activities, my reply to you focuses on the status of NRC's efforts.

At this time, the NRC is in the preliminary stages of examining its approach on controlling solid material and has sought public input to its decision-making process through various forums. An initial step in that process was to prepare, for public comment, a paper that discusses issues associated with alternative courses of action. This "Issues Paper" was published in a Federal Register notice (FRN) on June 30, 1999 (64 FR 35090), with a comment period that was originally scheduled to close on November 15, 1999, but which was extended to December 22, 1999. To provide further opportunity for public input, NRC held a series of public meetings, during the Fall of 1999, at four locations, as announced in the FRN. Although NRC regulations do not apply directly to DOE materials, representatives of DOE did attend the Fall 1999 meetings and provided input about the status of their activities.

Currently, the Commission is reviewing a paper by the NRC staff summarizing the public's concerns, expressed both during the public meetings and in written comments, along with the staff's recommendations on how to proceed regarding control of solid materials at licensed facilities. To assist it in review of that paper, the Commission held two separate meetings, open to the public, in May 2000. At the first meeting, the staff briefed the Commission on the paper, and at the second meeting, representatives of various stakeholder groups were provided with an opportunity to express their comments and concerns to the Commission.

Information about current NRC efforts in this area, including contents of the Issues Paper and other documents, public comments received to date, summaries and transcripts of the public meetings, and opportunities for further public comment, is available on NRC's Web site address at: <http://www.nrc.gov/NMSS/IMNS/controlsolids.html>. The NRC Web site can be accessed, using internet services, on computers at home or available at local schools or libraries.

Sincerely,

/RA by Frank J. Miraglia Acting For/

William D. Travers
Executive Director
for Operations

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